

09-1892-cv

Johnson v. Nextel Communications, Inc.

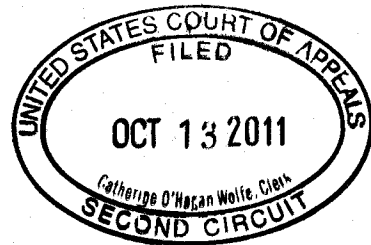
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

1:07-cv-08473-GBD

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 13th day of October, two thousand eleven,

PRESENT:

RALPH K. WINTER,
PETER W. HALL,
Circuit Judges,
MIRIAM G. CEDARBAUM,
District Judge.



MICHAEL S. JOHNSON, individually and on behalf of the class,
DONNA DYMKOWSKI, individually and on behalf of the class,
PATRICIA LONG-CORREA, individually and on behalf of the class,
ANTONIO SAMUEL, individually and on behalf of the class,
VINCENT HALL, individually and on behalf of the class, and
ANGELETTE WATERS, individually and on behalf of the class,

Plaintiffs-Appellants,

v.

No. 09-1892-cv

NEXTEL COMMUNICATIONS, INC., a Delaware Corporation,
LEEDS, MORELLI & BROWN, LENARD LEEDS, STEVEN A.
MORELLI, JEFFREY K. BROWN, JAMES VAGNINI,
FEDERIC DAVID OSTROVE, BRYAN MAZOLLA,
SUSAN FITZGERALD, JOHN DOE 1-10, a fictitious designation
for presently unknown defendants, and JANE DOE 1-10,
a fictitious designation for presently unknown defendants,

Defendants-Appellees.

USDC SDNY
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DATE FILED: January 25, 2012

Upon due consideration, it is hereby ORDERED that the Opinion dated September 26,
2011, is amended to insert a single asterisk (“*”) footnote signal following the name “Susan

Fitzgerald” in the caption. The text of that corresponding footnote shall read as follows:

This opinion does not apply to Defendant-Appellee Susan Fitzgerald, who filed for Chapter 7 bankruptcy protection in the Eastern District of New York on March 1, 2011.

Further, the single asterisk (“*”) footnote signal following “Cedarbaum, District Judge” in the designation of the judges is amended to a double asterisk (“**”). The text of the corresponding footnote (“The Hon. Miriam Goldman Cedarbaum of the United States District Court for the Southern District of New York, sitting by designation”) remains unchanged.

It is further ORDERED that within fourteen days of the entry of this Order, the parties shall inform the Court how they propose to dispose forthwith of the appeal insofar as it concerns Defendant-Appellee Susan Fitzgerald and, to the extent possible, the parties shall suggest a stipulated resolution effecting such disposition.

FOR THE COURT:
Catherine O’Hagan Wolfe, Clerk



A True Copy

Catherine O’Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

